

REMARKS

Claims 1 - 9 are pending in the application. Claims 1-9 are rejected. Claim 7 has been amended. Claims 1-9 remain. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

It is asserted in the Action that Claim 7 is objected to due to informalities namely, Claim 7 should read, "... when a bandwidth of the input CELP format is wider than that of the output CELP format [forma], and interpolates the synthesized excitation signal . . ." In response, Applicant has amended Claim 7 in accordance with the Examiner's suggestion. Approval is respectfully requested.

Claims 1-5 and 8-9 are rejected under 35 USC 103(a) as being unpatentable over Dejaco, in view of U.S. Patent 6,950,463 (Moni). Claims 6-7 are rejected under 35 USC 103(a) as being unpatentable over Dejaco in view of Moni, and in further view of Koa. In response to the rejection of Claims 1-5 and 8-9 under 35 USC 103 as being unpatentable over Dejaco in view of Moni, it is noted that the Examiner has essentially withdrawn the prior grounds of rejection based upon the previously cited Jobri reference and has substituted Moni for Jobri. In this connection, the Examiner contends that Moni provides the necessary teaching concerning the formant parameter translating means which includes a formant bandwidth converting means. In the prior response, it was pointed out that Jobri does not teach formant bandwidth conversion when the output bandwidth is broader than the input bandwidth. In relying upon Moni, the Examiner notes that Moni teaches increasing bit rate if the bandwidth is higher than needed. In this connection, formant parameters are described in the application as items which can be converted into items such as line spectral frequency and line spectral pair (page 9, lines 10-14 and page 10, lines 2-6), which items cannot be expanded by merely increasing bit rate as taught by Moni. Therefore, the limitation of wherein "the formant bandwidth converting means expands the bandwidth of the formant parameters and generates the bandwidth-corrected formant parameters when the bandwidth of the input CELP format is narrower than that of the output CELP format" is not met by Moni. Applicant recognizes that limitations from the specification are not read into the claims to distinguish over the prior art. However, in the action, since formant and formant parameters are well known terms in the art, which terms are not directly related to bit rate, Applicant submits that relying on a reference which teaches increasing bit rate to meet the claimed limitation of expanding the bandwidth of formant parameters is insufficient

claim limitations. Independent Claims 8 and 9 incorporate this same limitation and therefore, such claims are patentably distinguishable over the prior art for the same reasons. Since the remaining claims all depend from one of the independent claims, reconsideration and withdrawal of the rejections of Claims 1-9 under 35 U.S.C. 103(a) is respectfully requested.

In view of the foregoing, it is submitted that the claims pending for examination, namely claims 1-9 are now in condition for allowance, which early action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

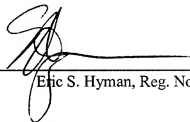
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

11/12/07

By:

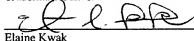


Eric S. Hyman, Reg. No. 30,139

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
Telephone (310) 207-3800
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Elaine Kwak

11/12/07
Date